

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ELECTRONIC FRONTIER FOUNDATION,)	Case No. 4:09-CV-03351-SBA
)	
Plaintiff,)	
)	
vs.)	
)	
CENTRAL INTELLIGENCE AGENCY, ET)	ORDER
AL.,)	
)	
Defendants.)	
)	
)	
)	

Before the Court is the plaintiff's Motion to Shorten Time For a Hearing on the plaintiff's Motion for Partial Summary Judgment. This Court, having considered the motion, the defendants' response, and the entire record, hereby grants the motion.

Pursuant to Federal Rule of Civil Procedure 6(d) and Civil Local Rule 6-3, the Court has the discretion to shorten the time for hearing a motion. *See, e.g., United States v. Fitch*, 472 F.2d 548, 549 n. 5 (9th Cir. 1973), *cert. denied*, 410 U.S. 914 (1973). The plaintiff's Motion for Partial Summary Judgment seeks to compel defendants Central Intelligence Agency, Department of Defense, National Security Agency, Department of Justice and Office of the Director of National Intelligence to process and produce government records under the Freedom of Information Act ("FOIA") because, despite the timing requirements of the FOIA, 5 U.S.C. § 552(a)(6)(A)(i), the defendants have not to date processed the plaintiff's requests.

Under the statutory scheme Congress established in the FOIA, it is clear that the plaintiff's rights and the defendants' obligations are based upon timeliness.

IT IS HEREBY ORDERED THAT:

1. The hearing on the plaintiff's Motion for Partial Summary Judgment is scheduled for December 1, 2009, at 1:00 p.m.;
2. The defendants' opposition shall be filed no later than October 28, 2009; and
3. The plaintiff's reply shall be filed no later than November 4, 2009.

IT IS SO ORDERED.

DATED: 10/14/09


HONORABLE SAUNDRA B. ARMSTRONG